

# C I T Y   P L A N N I N G   C O M M I S S I O N   M I N U T E S

J U N E   1 5 ,   2 0 0 6

**STUDY SESSION** A study session was held at 12:00pm for a presentation of the Final Report by the Los Cerritos Wetlands Study Group.

The regular meeting of the City Planning Commission and public hearing reconvened on June 15, 2006 at 1:37pm in the City Council Chambers, 333 W. Ocean Boulevard, Long Beach, California.

**PRESENT: COMMISSIONERS:** Matthew Jenkins, Charles Greenberg,  
Morton Stuhlbarg, Nick Sramek,  
Leslie Gentile

**ABSENT: EXCUSED:** Mitchell Rouse, Charles Winn

**CHAIRMAN:** Matthew Jenkins

**STAFF MEMBERS PRESENT:** Suzanne Frick, Director  
Greg Carpenter, Planning Manager  
Lynette Ferenczy, Planner  
Lemuel Hawkins, Planner  
Monica Mendoza, Planner  
Scott Mangum, Planner  
Steve Gerhardt, Planner  
Mercedes McLemore, Planner

**OTHERS PRESENT:** Mike Mais, Deputy City Attorney  
David White, Project Officer, Central  
Project Area  
Stephanie Reich, Urban Design Officer  
Marcia Gold, Minutes Clerk

## P L E D G E   O F   A L L E G I A N C E

The pledge of allegiance was led by Commissioner Sramek.

## S W E A R I N G   O F   W I T N E S S E S

## **C O N S E N T   C A L E N D A R**

Commissioner Greenberg moved to approve the Consent Calendar as presented by staff, with adjusted conditions of approval on Items 1B and 1C. Commissioner Stuhlbarg seconded the motion, which passed 5-0. Commissioners Winn and Rouse were absent.

### **1A. Case No. 0511-25, Site Plan Review, Standards Variance, ND 08-06**

Applicant: Enter-Arc c/o Lance Brown  
Subject Site: 2200 Lakewood Boulevard (Council District 4)  
Description: Request for approval of Site Plan Review for a new 6,400 sq.ft. commercial building with a Standards Variance for front and side setbacks of five feet (instead of not less than 10 feet).

Continued to the July 6, 2006 meeting.

### **1B. Case No. 0605-03, Conditional Use Permit, CE 06-85**

Applicant: Bixby Land Company  
c/o Tom Turner for Northeast Auto Dealers  
Subject Site: 3350 E. 29<sup>th</sup> Street (Council District 5)  
Description: Request for approval of a Conditional Use Permit to allow the replacement of an electronic message center sign. The application includes requests for waiver of several special conditions for electronic message centers.

Approved the Conditional Use Permit subject to revised conditions of approval.

### **1C. Case No. 0603-98, Conditional Use Permit, CE 06-59**

Applicant: Vestar Property Management  
c/o SSOE Inc. for PetsMart, Inc.  
Subject Site: 7631 Carson Boulevard (Council District 5)  
Description: Request for approval of a Conditional Use Permit to allow boarding of animals as an accessory use to the PetsMart store.

Approved the Conditional Use Permit subject to revised conditions of approval.

## REGULAR AGENDA

### 5. (Heard Out of Order)

**Case No. 0605-35, Site Plan Review, Standards Variance, Tentative Map, General Plan Conformity 06-15-06, Mitigated Negative Declaration 08-05**

Applicant: Peter Zak, Lyon Realty Advisors  
Subject Site: 210 E. 3<sup>rd</sup> Street (Council District 2)  
Description: Request for approval of a Finding of General Plan Conformity for a proposed alley vacation and Site Plan Review, Standards Variance and Vesting Tentative Map No. 64636 to construct a five-story mixed-use development and parking structure with 104 residential units, approximately 15,000 sq.ft. of commercial space and 394 parking spaces.

At the request of the applicant, the item was continued to the July 20, 2006 meeting on a motion by Commissioner Gentile, seconded by Commissioner Stuhlbarg and passed 5-0. Commissioners Winn and Rouse were absent.

## CONTINUED ITEMS

### 2. Case No. 0601-07, Amendment to Zoning Ordinance CE 06-54

Applicant: City of Long Beach c/o Suzanne Frick,  
Director of Planning and Building  
Subject Site: Long Beach Boulevard Planned Development  
District (PD-29)  
Description: Proposed amendments to Long Beach Boulevard  
Planned Development District (PD-29) for automobile sales  
businesses.

Lemuel Hawkins presented the staff report recommending adoption of the amendments since they will address problems arising from the establishment of new businesses that sell new and used automobiles.

In response to queries from Commissioner Gentile, Planner Hawkins confirmed that the amendment would also apply to existing dealerships who wished to expand their business onto an adjacent property or add additional square footage or structures.

In response to a query from Commissioner Gentile about making the amendment retroactive, Suzanne Frick noted that the Commission could determine that the same standards would be

imposed on existing dealerships, with a specific time frame for compliance.

Deputy City Attorney Mais recommended that staff work with his office to develop appropriate amortization schedules for such compliance with the new amendment.

Commissioner Gentile moved to continue the item and directed staff to return to the Commission with a revised set of recommendations to include compliance with the amendments for existing auto dealers. Commissioner Sramek seconded the motion, which passed 5-0. Commissioners Winn and Rouse were absent.

### **R E G U L A R     A G E N D A**

- 3.    Item #3 was temporarily removed from the Regular Agenda to allow discussion with the applicant**
- 4.    Case No. 0412-06, General Plan Amendment, PD-25 Amendment, Zone Change, Site Plan Review, Lot Merger, ND 32-04**

Applicant:            Menorah Housing Foundation  
                         Anne Friedrich, President  
Subject Site:        2555 Atlantic Avenue (Council District 6)  
Description:        Request for approval of a Zone Change,  
                         Amendments to the General Plan and the Atlantic Avenue  
                         Planned Development district (PD-25), Site Plan Review and  
                         a Lot Merger for a four-story, 66-unit low-income senior  
                         citizen apartment complex.

Lemuel Hawkins presented the staff report recommending approval of the project since it is consistent with subdivision regulations and the Land Use Element, will replace and provide housing for low-income senior citizens and since positive findings can be made to support the requests.

Stephanie Reich, Urban Design Officer, City of Long Beach, outlined the intent, development envelope and general standards of each sub area, along with the elevations and orientation of the proposed structures.

Anne Friedrich, Executive Director, Menorah Housing Foundation, 2555 Atlantic Avenue, gave a history of the project. In response to a query from Commissioner Greenberg as to why the project was in the path of Memorial's planned extension, Ms. Friedrich explained that they would be including affordable housing for

hospital employees, which they hoped would trigger economic growth in the area.

Commissioner Greenberg expressed concern about the location of the project, saying he felt it should not be the closest to the hospital since this specific property would better used for workforce housing.

Planner Hawkins noted that the intent was to provide workforce housing off of Willow, starting with this project as a kickoff to encourage development.

David White, Project Officer, Central Redevelopment Project Area, noted that the City was in the process of acquiring parcels in the area to include in this project as well as other potential workforce housing development, and that this project would provide its residents with easier access to hospital services and retail needs.

Commissioner Sramek pointed out that under the General Plan revision, this corridor had been specifically earmarked for workforce housing.

Greg Carpenter noted that community input indicated support for this type of use in this location.

Karen Afashehlamantia, 3041 Bonita, suggested that the project incorporate green building standards.

Ms. Frick noted that there was a green building policy in place for public buildings, not private development projects, but that the RDA encouraged applicants to incorporate those elements. Mr. Hawkins added that since this was a HUD project, green standards would be in place.

Sandy Redding, 2530 Atlantic Avenue, adjacent property owner, asked for more information about the project before making a decision.

Polly Johnson, 735 Sunrise Blvd., said she also wanted more information about possible noise and traffic impacts of the project.

Commissioner Stuhlbarg moved to certify Mitigated Negative Declaration No. 32-04; and to recommend that the City Council approve Zone Changes from single-family residential (R-1-N) and Community Automobile-Oriented (CCA) to the Atlantic Avenue

Planned Development District (PD-25); to recommend that the City Council approve the Amendments to the General Plan from LUD #1 and #8A to LUD #7, Mixed Uses; to recommend that the City Council approve Amendments to the Atlantic Avenue Planned Development District (PD-25); and to approve the requests for Site Plan Review and Lot Merger subject to conditions. Commissioner Gentile seconded the motion.

Commissioner Greenberg said he could not support the motion because the location was a vital one for workforce housing, and he asked why the project could not be moved to another site, since this seemed to him to be the wrong project for the wrong location.

In response to a query from Chairman Jenkins regarding the RDA's awareness of the need for workforce housing, David White noted that they were working with the Housing Development Company on a 50-unit project nearby, and added that the project under discussion had received a 15-month HUD grant.

Chairman Sramek stated he would support the motion, but believed there was a need for carefully planned, not piecemeal, workforce housing.

Commissioner Greenberg objected to what he agreed was piecemeal development on a key parcel, and said it would make sense to pull together a master plan involving the Commission earlier than the first project.

Ms. Frick suggested a study session to explain the long-term strategic plan in the area.

The question was called, and the motion passed 4-1-0. Commissioner Greenberg dissented, and Commissioners Winn and Rouse were absent.

### **3. (Heard Out of Order)**

**Case No. 0510-02, Site Plan Review, Vesting Tentative Tract Map, Standards Variance, ND 01-06**

Applicant: Jay Scheppmann  
Subject Site: 1223-1227 Long Beach Blvd. (Council Dist. 1)  
Description: Request for approval of Site Plan Review, Vesting Tentative Tract Map No. 65484 and Standards Variance for less than code-required dimensions for open space and courtyard area for a 51-unit condominium complex with ground floor commercial and live/work uses.

Mr. Carpenter noted that the applicant had agreed to a continuation to the July 6, 2006 meeting. Commissioner Gentile moved to continue the item to the July 6, 2006 meeting. Commissioner Sramek seconded the motion, which passed 5-0. Commissioners Winn and Rouse were absent.

**5. Case No. 0605-35, Site Plan Review, Standards Variance, Tentative Map, General Plan Conformity 06-15-06, Mitigated Negative Declaration 08-05**

The item was heard out of order at the beginning of the Regular Agenda. (see page 2)

**6. Case No. 0509-12, Modification, Site Plan Review**

Applicant: Robert J. Norris, Jr.  
Subject Site: 2198 San Gabriel Avenue (Council Dist. 7)  
Description: Modification to Master Development Plan, Site Plan Review to allow the construction of two one-story family shelters at Century Villages at Cabrillo.

Monica Mendoza presented the staff report recommending approval of the modification since the project was well-designed and architecturally consistent with the design of the existing development at the site and would comply with the standards of PD-31, and she presented slides showing the layout and elevation of the proposed shelters.

Peter W. Postlmayr, 2001 River Avenue, Long Beach, applicant, outlined the history of the project, and said he felt two conditions regarding security were unnecessary since they had not had any problems in the area before.

Mr. Mais explained that the two conditions had been recommended by the Long Beach Police Department.

In response to a suggestion from Commissioner Sramek, Mr. Carpenter said that the condition could be modified to require that if problems arose, the Director of Planning and Building and the Police Department could place additional security requirements on the development, and the applicant would have the right to appeal to the Commission.

Commissioner Sramek moved to approve the Site Plan Review, subject to the modified conditions. Commissioner Gentile seconded the motion, which passed 4-0. Commissioner Greenberg

had left the meeting, and Commissioners Winn and Rouse were absent.

**7. Case No. 0601-11, Amendment to Zoning Ordinance and Subdivision Regulations, CE 06-120**

Applicant: City of Long Beach c/o Suzanne Frick  
Subject Site: Citywide  
Description: Proposed amendment to the Zoning Ordinance and Subdivision Regulations to establish a fee related to Condominium Conversions to support the Housing Trust Fund.

Steve Gerhardt presented the staff report requesting review and a recommendation to the City Council that a new fee be established for condominium conversions.

In response to queries from Chairman Jenkins as to the reasoning behind the flat fee of \$4000, Ms. Frick explained that it was based on the average sales price of \$400,000. Mr. Jenkins suggested it be tied to a percentage of the sales price to better track overall housing prices, and Ms. Frick replied that staff believed a flat fee would cost less administratively and help fund the Housing Trust Fund sooner.

Katie Della Donna, 3540 Lemon, expressed opposition to the amendment saying it would hurt small developers who wouldn't be able to afford the additional cost and would be forced to move their operations elsewhere. Ms. Della Donna noted that this would represent a 200% increase in fees and be difficult to administer and enforce.

Adrienne Bridges, 100 Ocean #1200, also expressed disapproval of the proposed fee, agreeing it would hurt the smaller developer immensely, and if necessary should only be imposed on new applications, not existing ones.

Tom Wurzl, 5703 Seaside Loft, agreed that the fees would halt much development in Long Beach and end the user-friendly aspect of working with the City.

Bob Hildebrand, 555 Main Avenue, representing the Long Beach Interfaith Community Organization, expressed support for the amendment, since the Housing Trust Fund would help increase area workforce housing.

Karen Hudson, 1650 Ximeno #120, Coldwell Banker, expressed opposition to the amendment agreeing it would hurt her smaller

clients who are upgrading eyesores in the City, eating prohibitively into the profits of many developers, potentially flattening sales prices and compromising building quality. Ms. Hudson added that many sales prices were nowhere near \$400,000, and that setting a flat fee would discourage investment in area properties.

Valerie Clark, P. O. Box 886, Silverado, CA 92676, stated that she is a small-scale developer, objected to the proposed fee, saying that in the end it would discourage development of affordable housing.

Curtis Gay, 301 Magnolia, said he supported the fee since he was a disabled vet unable to find affordable housing and this might help provide the Housing Trust Fund with continued resources.

Suzanne Brown, 2750 E. Spring Street, said she felt the fee would help offset the ongoing loss of affordable housing stock. Ms. Brown agreed that the fee should be percentage-based, which she said would be consistent with other jurisdictions and since \$4000 per application would be insufficient, and that ten percent of all new units should be set aside for low-income residents.

Ryan Baumgarner, 141 Corona Avenue, said he thought developers would pass the fee on to purchasers, making housing in Long Beach even less affordable.

Sandra Kroll, 5280 Atherton St. #138, said she supported the idea to assist low-income residents and replace housing stock.

Andrew Kincaid, 110 W. Ocean Blvd. #350, Associate Director, Long Beach Affordable Housing Coalition, stated that he believed there should be a more equitable way to garner monies for the Housing Trust Fund.

Maria Giesey, 1901 E. Ocean Blvd., #302, Chair, Mayor's Committee on Homelessness, said she felt everyone had a moral obligation to help low-income renters.

Adil Karamally, 1440 S. State College Blvd., Anaheim, Meridian Properties LLC, expressed strong opposition to the amendment, noting that developers were already working with the City to improve and upgrade housing stock, both for low-income renters and for the workforce. Mr. Karamally added that he felt the fee would hurt the revitalization process and inhibit developers from providing cost-efficient housing.

Chairman Jenkins stated that he did not support the retroactive fee imposition, and said there would have to be more discussion about how to assist in building up low-income housing stock and funding without penalizing developers.

Commissioner Stuhlbarg said he did not want to see a retroactive fee, and that he felt more discussion was needed on the item.

Commissioner Sramek agreed that the fee should not be retroactive, and that research was needed to determine the profits of condominium conversion. Mr. Sramek expressed concern that a flat fee would discourage developers, and he encouraged everyone to explore other avenues of funding the Housing Trust Fund.

Commissioner Stuhlbarg moved to continue the item to the July 20, 2006 meeting to allow a public study session to be held on the issue. Commissioner Sramek seconded the motion, which passed 4-0. Commissioner Greenberg had left the meeting and Commissioners Winn and Rouse were absent.

**8. Case No. 0601-10, Amendment to Zoning Ordinance, CE 06-115**

Applicant: City of Long Beach c/o Suzanne Frick  
Director of Planning and Building  
Subject Site: Citywide  
Description: Proposed amendments to the Zoning Ordinance regarding large retail establishments.

Scott Mangum presented the staff report recommending adoption of the amendments to prohibit "super stores" and ensure that large-format retail development promotes the efficient use of land and preserves and enhances the urban fabric through more urban site planning and building design process.

Doug Otto, 111 W. Ocean, Suite 1300, representative of Home Depot, stated that he felt the amendments were problematic because they could put projects currently under long-term development in violation of standards. Mr. Otto added that although his client was working with the City to meet revised standards, using the Site Plan Review process might be a more focused way to work with so-called 'big box' retailers.

Ray Polk, Councilmember representative, stated that their priority was to protect the viability of existing commercial areas and maintain competition by preventing a single retailer

from dominating the local market. Mr. Polk suggested that the Commission take separate actions on the two-part amendment.

Commissioner Sramek agreed that more input was needed on the amendments, because he did not feel they would achieve the City's goals at this point.

Commissioner Sramek moved to recommend that the City Council adopt Part I of the Amendment dealing with the prohibition, but not Part II dealing with design standards. Commissioner Gentile seconded the motion, which failed 2-2. Commissioners Jenkins and Stuhlbarg dissented. Commissioners Winn and Rouse were absent.

Commissioner Gentile moved to continue Part I of the item to the July 20, 2006 meeting and Part II to a date uncertain to allow bifurcation of the issues and further review of each.

Commissioner Stuhlbarg seconded the motion, which passed 4-0. Commissioner Greenberg had left the meeting and Commissioners Winn and Rouse were absent.

**9. Case No. 0601-12, Amendments to Downtown Planned Development District, CE 06-114**

Applicant: City of Long Beach c/o Suzanne Frick  
Director of Planning and Building  
Subject Site: Citywide  
Description: Proposed amendments to the Downtown Planned Development District related to adaptive reuse of commercial buildings.

Greg Carpenter presented the staff report recommending adoption of the amendments to consolidate all regulations related to adaptive reuse of existing buildings.

Chairman Jenkins stated he felt it was a great idea to recycle old buildings, relieving the City of eyesores.

Commissioner Gentile moved to recommend that the City Council adopt the amendments to the Downtown Planned Development District (PD-30). Commissioner Sramek seconded the motion, which passed 4-0. Commissioner Greenberg had left the meeting and Commissioners Winn and Rouse were absent.

**10. Case No. 0601-13, Amendment to Zoning Ordinance, CE 06-116**

Applicant: City of Long Beach c/o Suzanne Frick  
Director of Planning and Building  
Subject Site: Citywide  
Description: Proposed amendment to the Zoning Ordinance  
Chapter 21.63, regarding incentives for affordable housing.

Mercedes McLemore presented the staff report recommending adoption of the amendment to update the qualifications for a density bonus and the density bonus limitations.

Commissioner Gentile moved to recommend that the City Council adopt the amendment to the Zoning Ordinance. Commissioner Sramek seconded the motion, which passed 4-0. Commissioner Greenberg had left the meeting, and Commissioners Winn and Rouse were absent.

**M A T T E R S F R O M T H E A U D I E N C E**

There were no matters from the audience.

**M A T T E R S F R O M T H E D E P A R T M E N T O F  
P L A N N I N G A N D B U I L D I N G**

There were no matters from the Department of Planning and Building.

**M A T T E R S F R O M T H E P L A N N I N G  
C O M M I S S I O N**

There were no matters from the Planning Commission.

**A D J O U R N**

The meeting adjourned at 4:44pm.

Respectfully submitted,

Marcia Gold  
Minutes Clerk